

**NOTICE OF EMERGENCY REPEAL OF
13.21.2 NMAC, QUALIFICATIONS AND ADMISSIONS**

Effective Date: August 27, 2026

The New Mexico Office of Superintendent of Insurance (OSI) will repeal in its entirety 13.21.2 NMAC, *Qualifications and Admissions* on an emergency basis pursuant to Sections 14-4-5.6, 41-5-5, 41-5-25 and 59A-2-9 NMSA, effective September 9, 2026. OSI will promulgate a new rule related to qualifications and admissions that will align with the 2026 updates to the Medical Malpractice Act. Any instructions related to qualifications and admissions will temporarily be issued through OSI bulletin or guidance, will be posted on the OSI website and will be distributed through the OSI Newsletter, until a new rule is promulgated. To sign up for the Newsletter please go to the following link on the OSI website:
<https://www.osi.state.nm.us/en/about-us/newsletter/>

OSI determined that this emergency repeal is necessary to protect the public health and safety by ensuring that all qualified providers and hospitals are added as participants in the Patient's Compensation Fund (Fund). The repeal of 13.21.2 NMAC reinforces the underlying statutory purpose of the 2026 amendments to the Medical Malpractice Act to support health care providers and hospitals in gaining admission to the Fund so that health care providers and hospitals in the state may focus on improved community health and continuity of care in the communities they serve. As noted in the Fiscal Impact Report for House Bill 99 in the 2026 legislative session, "New Mexico continues to face a critical, chronic shortage of health professionals across the disciplines, particularly in rural areas. Thirty-two of 33 New Mexico counties are designated as health professional shortage areas (HPSAs) in primary care, behavioral health, dental health, or a combination of the three."

As the custodian of the Fund, the Superintendent is dedicated to assisting in maintaining and growing health care provider networks and hospitals in the state by improving processes and procedures of the Fund. A growing and sufficient number of health care providers and hospitals in New Mexico ensures shorter appointment wait times, better patient outcomes, fewer patient complications and a preventative medicine focus through regular screenings in addition to a better quality of life for health care providers.

**A copy of this notice will be placed on the OSI eDocket with the following
Docket Number: 2026-0170. A copy of this notice will also be filed on the Sunshine Portal.**

Please send any questions regarding this notice to this email address: osi.rulemaking@osi.nm.gov